



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

----- x
:

UNITED STATES OF AMERICA

- v. -

CASEY MICHAEL ANTONE,

Defendant.

----- x
:

: CONSENT PRELIMINARY ORDER
OF FORFEITURE/
: MONEY JUDGMENT
: 18 Cr. 101 (PAC)

WHEREAS, on or about February 8, 2018, CASEY MICHAEL ANTONE (the "defendant"), was charged in a four-count Indictment, 18 Cr. 101 (PAC) (the "Indictment"), with conspiracy to commit access device fraud, in violation of Title 18, United States Code, Sections 1029(a)(2), (a)(5), and (b)(2) (Count One); conspiracy to commit wire fraud, in violation of Title 18, United States Code, Section 1349 (Count Two); wire fraud, in violation of Title 18, United States Code, Sections 1343 and 2 (Count Three); and fraudulent use of credit cards, in violation of Title 15, United States Code, Section 1644(e), Title 18, United States Code, Section 2 (Count Four);

WHEREAS, the Indictment included a forfeiture allegation as to Count One of the Indictment, seeking forfeiture to the United States, pursuant to Title 18, United States Code, Sections 982(a)(2)(B) and 1029(c)(1)(C), of any and all property constituting or derived from, proceeds obtained directly or indirectly, as a result of the commission of the offense charged in Count One of the Indictment, and any and all personal property

used or intended to be used to commit the offense charged in Count One of the Indictment, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of the offense charged in Count One of the Indictment that the defendant personally obtained;

WHEREAS, on or about June 26, 2018, the defendant pled guilty to Count One of the Indictment, pursuant to a plea agreement with the Government, wherein the defendant admitted the forfeiture allegation with respect to Count One of the Indictment and agreed to forfeit, pursuant to Title 18, United States Code, Sections 982(a)(2)(B) and 1029(c)(1)(C), a sum of money equal to \$207,006.34 in United States currency, representing any and all property constituting or derived from any proceeds the defendant obtained directly or indirectly, as a result of the commission of the offense charged in Count One of the Indictment;

WHEREAS, the defendant consents to the entry of a money judgment in the amount of \$207,006.34 in United States currency representing the amount of proceeds traceable to the offense charged in Count One of the Indictment that the defendant personally obtained; and

WHEREAS, the defendant admits that, as a result of acts and/or omissions of the defendant, the proceeds traceable to the offense charged in Count One of the Indictment that the defendant

personally obtained cannot be located upon the exercise of due diligence.

IT IS HEREBY STIPULATED AND AGREED, by and between the United States of America, by its attorney Geoffrey S. Berman, United States Attorney, Assistant United States Attorney, Jessica Greenwood of counsel, and the defendant, and his counsel, Camille Abate, Esq., that:

1. As a result of the offense charged in Count One of the Indictment, to which the defendant pled guilty, a money judgment in the amount of \$207,006.34 in United States currency (the "Money Judgment"), representing the amount of proceeds traceable to the offense charged in Count One of the Indictment that the defendant personally obtained, shall be entered against the defendant.

2. Pursuant to Rule 32.2(b)(4) of the Federal Rules of Criminal Procedure, this Consent Preliminary Order of Forfeiture/Money Judgment is final as to the defendant, CASEY MICHAEL ANTONE, and shall be deemed part of the sentence of the defendant, and shall be included in the judgment of conviction therewith.

3. All payments on the outstanding Money Judgment shall be made by postal money order, bank or certified check, made payable, in this instance, to the United States Department of

Treasury, and delivered by mail to the United States Attorney's Office, Southern District of New York, Attn: Money Laundering and Asset Forfeiture Unit, One St. Andrew's Plaza, New York, New York 10007 and shall indicate the defendant's name and case number

4. The United States Department of Treasury or its designee shall be authorized to deposit the payment on the Money Judgment in the Treasury Assets Forfeiture Fund, and the United States shall have clear title to such forfeited property.

5. Pursuant to 21 U.S.C. § 853(p), the United States is authorized to seek forfeiture of substitute assets of the defendant up to the uncollected amount of the Money Judgment.

6. Pursuant to Rule 32.2(b)(3) of the Federal Rules of Criminal Procedure, the United States Attorney's Office is authorized to conduct any discovery needed to identify, locate or dispose of forfeitable property, including depositions, interrogatories, requests for production of documents and the issuance of subpoenas.

7. The Court shall retain jurisdiction to enforce this Consent Preliminary Order of Forfeiture/Money Judgment, and to amend it as necessary, pursuant to Rule 32.2 of the Federal Rules of Criminal Procedure.

8. The Clerk of the Court shall forward three certified copies of this Consent Preliminary Order of

Forfeiture/Money Judgment to Assistant United States Attorney Alexander J. Wilson, Chief of the Money Laundering and Asset Forfeiture Unit, United States Attorney's Office, One St. Andrew's Plaza, New York, New York 10007.

9. The signature page of this Consent Preliminary Order of Forfeiture/Money Judgment may be executed in one or more counterparts, each of which will be deemed an original but all of which together will constitute one and the same instrument.

AGREED AND CONSENTED TO:

GEOFFREY S. BERMAN
United States Attorney for the
Southern District of New York

By: Jessica Greenwood
Jessica Greenwood
Assistant United States Attorney
One St. Andrew's Plaza
New York, NY 10007
(212)637-1090

10/25/18
DATE

CASEY MICHAEL ANTONE

By: Casey M. Antone
CASEY MICHAEL ANTONE

10/25/18
DATE

By: Camille M. Abate
CAMILLE ABATE, ESQ.
Attorney for Defendant
Nicholas Goodman & Associates, PLLC
30 W. 22nd Street, Suite 2E
New York, NY 10010

10/25/18
DATE

SO ORDERED:

Paul A. Crotty
HONORABLE PAUL A. CROTTY
UNITED STATES DISTRICT JUDGE

10/25/2018
DATE